

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

GREGORY SMITH	)	Case No. 2:21-cv-03898
	)	
Plaintiff,	)	JUDGE SARAH D. MORRISON
	)	
vs.	)	MAGISTRATE JUDGE KIMBERLY A.
	)	JOLSON
CITY OF NELSONVILLE, OHIO, et al.,	)	
	)	<b><u>PARTIES' SEVENTH STATUS</u></b>
Defendants.	)	<b><u>REPORT</u></b>

Pursuant to this Court's October 6, 2021, Order, and in response to the Court's Show Cause Order dated April 20, 2023, now come the parties, by and through counsel, and respectfully submit their Seventh Status Report updating the Court on Plaintiff's civil action and administrative appeals that are currently pending against Defendants in the Athens County Court of Common Pleas. The parties apologize to the Court for not complying with the foregoing Order and failing to file this Seventh Status Report before. But there is little to update the Court as of yet. The Athens County Court of Common Pleas has still yet to rule on Defendants' Motion for Summary Judgment in the civil action, Case No. 21CI0072, that was originally filed on March 16, 2022. (*See* Athens County Case No. 21CI0072, "Defendants' Motion for Summary Judgment," filed March 16, 2022). Briefing on that Motion has been completed for, at this point, a full calendar year. Oral argument was also held completed before the Fourth Appellate District, Case No. 22CA4 (Athens County Case No. 21CI0174), in late-February 2023 with a decision not yet rendered.

As such, considering that the Plaintiff is relying upon a resolution to those actions as part of at least one of their claims for relief, they believe, and the Defendants do not dispute, a continued stay on this matter is necessary.

Jointly submitted,

/s/ Kent Hushion

Patrick Kasson (0055570) (Trial counsel)

Kent Hushion (0099797)

**Reminger Co., L.P.A.**

200 Civic Center Drive, Suite 800

Columbus, Ohio 43215

(614) 232-2634; FAX: (614) 232-2410

pkasson@reminger.com

khushion@reminger.com

*Counsel for Defendants*

/s/ Daniel Klos (per email authority on  
4/26/23)

Daniel Klos

4591 Indianola Ave.

Columbus, OH 43214

(614) 261-9581; FAX: (614) 262-5732

klosdhesq@aol.com

*Attorney for Plaintiff*

**CERTIFICATE OF SERVICE**

I hereby certify a true and accurate copy of the foregoing document was served via the Court's electronic filing system and/or regular U.S. mail electronic mail on this 27th day of April 2023 upon all parties of record:

/s/ Kent Hushion

Kent Hushion (0099797)